



General Assembly

January Session, 2017

Raised Bill No. 763

LCO No. 3342



Referred to Committee on PUBLIC SAFETY AND SECURITY

Introduced by:
(PS)

***AN ACT CONCERNING WORKERS' COMPENSATION COVERAGE
FOR POLICE OFFICERS, FIREFIGHTERS AND EMERGENCY
MEDICAL TECHNICIANS WITH POST-TRAUMATIC STRESS
DISORDER.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subdivision (16) of section 31-275 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective*
3 *January 1, 2018, and applicable to the visual witnessing of a death, or the*
4 *immediate aftermath of a death, occurring on or after said date*):

5 (16) (A) "Personal injury" or "injury" includes, in addition to
6 accidental injury that may be definitely located as to the time when
7 and the place where the accident occurred, an injury to an employee
8 that is causally connected with the employee's employment and is the
9 direct result of repetitive trauma or repetitive acts incident to such
10 employment, and occupational disease.

11 (B) "Personal injury" or "injury" shall not be construed to include:

12 (i) An injury to an employee that results from the employee's

13 voluntary participation in any activity the major purpose of which is
14 social or recreational, including, but not limited to, athletic events,
15 parties and picnics, whether or not the employer pays some or all of
16 the cost of such activity;

17 (ii) A mental or emotional impairment, unless such impairment (I)
18 arises from a physical injury or occupational disease, (II) in the case of
19 a police officer, arises from such police officer's use of deadly force or
20 subjection to deadly force in the line of duty, regardless of whether
21 such police officer is physically injured, provided such police officer is
22 the subject of an attempt by another person to cause such police officer
23 serious physical injury or death through the use of deadly force, and
24 such police officer reasonably believes such police officer to be the
25 subject of such an attempt, [or] (III) in the case of a firefighter, is
26 diagnosed as post-traumatic stress disorder by a [licensed and board
27 certified mental health professional] psychiatrist licensed pursuant to
28 chapter 370 or a psychologist licensed pursuant to chapter 383,
29 determined by such [professional] psychiatrist or psychologist to be
30 originating from the firefighter witnessing the death of another
31 firefighter while engaged in the line of duty and not subject to any
32 other exclusion in this section, or (IV) in the case of a police officer,
33 firefighter or emergency medical technician, is diagnosed as post-
34 traumatic stress disorder by a psychiatrist licensed pursuant to chapter
35 370 or a psychologist licensed pursuant to chapter 383, determined by
36 such psychiatrist or psychologist to be originating from the police
37 officer, firefighter or emergency medical technician visually witnessing
38 the death of a human being, or the immediate aftermath of such death,
39 provided the visual witnessing of such death or the aftermath of such
40 death occurred while the police officer, firefighter or emergency
41 medical services provider was engaged in the line of duty. As used in
42 this clause, "police officer" means a member of the Division of State
43 Police within the Department of Emergency Services and Public
44 Protection, an organized local police department or a municipal
45 constabulary, "firefighter" means a uniformed member of a municipal

46 paid or volunteer fire department, [and] "in the line of duty" means
47 any action that a police officer, [or] firefighter or emergency medical
48 technician is obligated or authorized by law, rule, regulation or written
49 condition of employment service to perform, or for which the police
50 officer, [or] firefighter or emergency medical technician is
51 compensated by the public entity such officer serves, "emergency
52 medical technician" means a person who is certified pursuant to
53 chapter 384d and employed by a municipality, and "immediate
54 aftermath" means the scene at which such death occurred for a period
55 of time not to exceed six hours after such scene is secured by law
56 enforcement officers;

57 (iii) A mental or emotional impairment that results from a personnel
58 action, including, but not limited to, a transfer, promotion, demotion
59 or termination; or

60 (iv) Notwithstanding the provisions of subparagraph (B)(i) of this
61 subdivision, "personal injury" or "injury" includes injuries to
62 employees of local or regional boards of education resulting from
63 participation in a school-sponsored activity but does not include any
64 injury incurred while going to or from such activity. As used in this
65 clause, "school-sponsored activity" means any activity sponsored,
66 recognized or authorized by a board of education and includes
67 activities conducted on or off school property and "participation"
68 means acting as a chaperone, advisor, supervisor or instructor at the
69 request of an administrator with supervisory authority over the
70 employee.

71 Sec. 2. Section 31-294h of the general statutes is repealed. (*Effective*
72 *from passage*)

<p>This act shall take effect as follows and shall amend the following sections:</p>
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Section 1	<i>January 1, 2018, and applicable to the visual witnessing of a death, or the immediate aftermath of a death, occurring on or after said date</i>	31-275(16)
Sec. 2	<i>from passage</i>	Repealer section

Statement of Purpose:

To provide workers' compensation coverage to police officers, firefighters and emergency medical technicians suffering from post-traumatic stress disorder as a direct result of witnessing the death of a human being or the immediate aftermath of such death.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]